

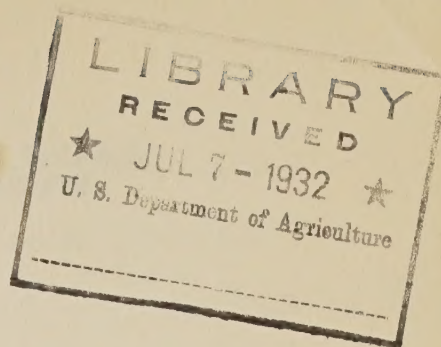
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UNITED STATES DEPARTMENT OF AGRICULTURE
Bureau of Agricultural Economics



The Secretary of the Department of Agriculture has the honor to acknowledge the receipt of your letter of the 11th inst. and in reply to inform you that the same has been forwarded to the Bureau of Agricultural Economics for their consideration. The Bureau has the honor to acknowledge the receipt of your letter of the 11th inst. and in reply to inform you that the same has been forwarded to the Bureau of Agricultural Economics for their consideration. The Bureau has the honor to acknowledge the receipt of your letter of the 11th inst. and in reply to inform you that the same has been forwarded to the Bureau of Agricultural Economics for their consideration.

REGULATIONS

For

WAREHOUSEMEN STORING CHERRIES IN BRINE

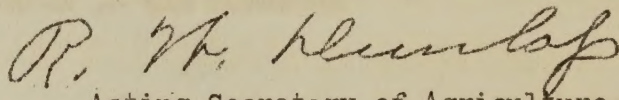
Approved May 3, 1932.

Regulations of the Secretary of Agriculture
Under the United States Warehouse
Act of August 11, 1916
as Amended

UNITED STATES DEPARTMENT OF AGRICULTURE
Bureau of Agricultural Economics
Washington, D. C.

By virtue of the authority vested in the Secretary of Agriculture by the United States warehouse Act, approved August 11, 1916 (39 U.S. Stat. L., p. 486), as amended, I, R. W. Dunlap, Acting Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following rules and regulations to be known as the regulations for warehousemen storing cherries in sulphur dioxide brine and to be in force and effect until amended or superseded by rules and regulations which may hereafter be made by the Secretary of Agriculture under said act.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 3rd. day of May, 1932.


Acting Secretary of Agriculture.

REGULATIONS FOR WAREHOUSEMEN STORING CHERRIES IN SULPHUR
DIOXIDE BRINE UNDER THE UNITED STATES WAREHOUSE ACT.

Regulation 1. Definitions.

Section 1. Words used in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand. Words import singular or plural.

Sec. 2. For the purpose of these regulations, unless the context otherwise require, the following terms shall be construed, respectively, to mean: Terms defined.

Paragraph 1. Cherries in sulphur dioxide brine.- The product made from fresh cherries of proper maturity and of any variety suitable for the manufacture of maraschino type cherries, stemmed or unstemmed, pitted or unpitted, packed in and covered at all times with a solution consisting of sulphur dioxide gas in water, of sufficient strength to preserve and bleach the cherries, with the addition of a small amount of hydrated lime or other harmless hardening agent, and stored in properly paraffin-lined sound barrels made of fir, oak, or beech wood, and which are bound with not less than six hoops. For brevity "cherries in sulphur dioxide brine" will be referred to as "cherries in brine" throughout these regulations. Cherries in sulphur dioxide brine.

Par. 2. The act. - The United States warehouse Act, approved August 11, 1916 (39 Stat. 446, 486), as amended. The Act.

Par. 3. Person. - An individual, corporation, partnership, or two or more persons having a joint or common interest. Person.

Par. 4. Secretary. - The Secretary of Agriculture of the United States. Secretary.

Par. 5. Designated Representative. - The Chief of the Bureau of Agricultural Economics of the United States Department of Agriculture. Designated representative.

Par. 6. Chief of the bureau. - The Chief of the Bureau of Agricultural Economics. Chief of the bureau.

Par. 7. Department. - United States Department of Agriculture. Department.

Par. 8. Bureau. - The Bureau of Agricultural Economics of the United States Department of Agriculture. Bureau.

Par. 9. Regulations. - Rules and regulations made under the act by the Secretary. Regulations.

Par. 10. Warehouse. - Unless otherwise clearly indicated by the context, any suitable building, structure, or other protected inclosure in which cherries in brine are or may be stored for interstate or foreign commerce, or, if located within any place under the exclusive jurisdiction of the United States, in which cherries in brine are or may be stored and for which a license has been issued under the act. Warehouse.

Par. 11. Warehouseman. - Unless otherwise clearly indicated by the context, any person lawfully engaged in the business of storing cherries in brine and holding a warehouse license. Warehouseman.

Par. 12. License. - A license issued under the act by the Secretary. License.

Par. 13. Licensed warehouseman's bond. - A bond required to be given under the act by a licensed warehouseman. Licensed warehouseman's bond.

Par. 14. Licensed Inspector. - A person licensed under the Act by the Secretary, or his designated representative, to sample, to inspect, and/or to certificate the condition of cherries in brine for storage. Licensed Inspector.

Par. 15. Licensed Grader. - A person licensed under the Act by the Secretary, or his designated representative, to grade and certificate the grade of cherries in brine for storage. Licensed Grader.

Par. 16. Licensed Weigher. - A person licensed under the Act by the Secretary, or his designated representative, to weigh and to certificate the weight of cherries in brine for storage. Licensed Weigher.

Par. 17. Receipt. - A licensed warehouse receipt issued under the Act, unless otherwise specified. Receipt.

Par. 18. State. - A state, territory, or district of the United States. State.

Regulation 2. Warehouse licenses.

Section 1. Applications for licenses or for amendments thereto under the act shall be made to the Secretary upon forms prescribed for the purpose and furnished by the bureau, shall truly state the information therein contained, and shall be signed by the applicant. The applicant shall at any time furnish such additional information as the Secretary, or his designated representative, shall find to be necessary to the consideration of his application. Application form.

Sec. 2. A license for the conduct of a warehouse shall not be issued if it be found by the Secretary, or his designated representative, that the warehouse is not suitable for the proper storage of cherries in brine, that the warehouseman is incompetent to conduct such warehouse in accordance with the act and these regulations, or that there is any other sufficient reason within the intent of the act for not issuing such license.

Grounds for not issuing license.

Sec. 3. Any warehouseman conducting a warehouse licensed or for Net assets which application for license has been made shall have and maintain above all exemptions and liabilities net assets liable for the payment of any indebtedness arising from the conduct of the warehouse, to the extent of at least two (2) cents per pound of the maximum number of pounds that the warehouse will accommodate when stored in the manner customary to the warehouse as determined by the chief of the bureau, except that the amount of such assets shall not be less than \$5,000, and need not be more than \$100,000.

required.

If such warehouseman has applied for licenses to conduct two or more warehouses in the same State, the assets applicable to all of which shall be subject to the liabilities of each, such warehouses shall be deemed to be one warehouse for the purposes of the assets required under this section. For the purposes of this section only, paid-in capital stock, as such, shall not be considered a liability.

A deficiency in required net assets may be supplied by an increase in the amount of the warehouseman's bond in accordance with regulation 3, section 2, paragraph 2, but in no event may a warehouseman be licensed who has not at least \$5,000 net assets.

Warehouseman must have at least \$5,000 net assets.

Sec. 4. Immediately upon receipt of his license or of any amendment thereto, the warehouseman shall post the same, and thereafter, except as otherwise provided in these regulations, keep it posted until suspended or terminated, in a conspicuous place in the principal office where receipts issued by such warehouseman are delivered to depositors.

License shall be posted.

Sec. 5. Pending investigation, the Secretary or his designated representative, whenever he deems necessary, may suspend a warehouseman's license temporarily without hearing. Upon written request and a satisfactory statement of reasons therefor, submitted by a warehouseman, the Secretary, or his designated representative, may, without hearing, suspend or cancel the license issued to such warehouseman. The Secretary, or his designated representative, may, after opportunity for hearing when possible has been afforded in the manner prescribed in this section, revoke a license issued to a warehouseman when such warehouseman (a) is bankrupt or insolvent; (b) has parted, in whole, or in part, with his control over the licensed warehouse; (c) is in process of dissolution or has been dissolved; (d) has

Suspension or revocation of warehouse licenses.

ceased to conduct such licensed warehouse; or (e) has in any other manner become incompetent or incapacitated to conduct the business of the warehouse. Whenever any of the conditions mentioned in subdivisions (a) to (e) of this section shall come into existence it shall be the duty of the warehouseman to notify immediately the chief of the bureau of the existing condition. Before a license is revoked for any violation of, or failure to comply with, any provisions of the act, or of these regulations, or upon the ground that unreasonable or exorbitant charges have been made for services rendered, the warehouseman involved shall be furnished by the Secretary, or his designated representative, a written statement specifying the charges and shall be allowed a reasonable time within which he may answer the same in writing and apply for a hearing, an opportunity for which shall be afforded in accordance with regulation 10, section 4.

Sec. 6. When a license issued to a warehouseman terminates or is suspended or revoked by the Secretary, or his designated representative, it shall be returned to the bureau. At the expiration of any period of suspension of such license, unless it be in the meantime revoked, the dates of the beginning and termination of the suspension shall be indorsed thereon and it shall be returned to the licensed warehouseman to whom it was originally issued, and it shall be posted as prescribed in section 4 of this regulation; provided, that in the discretion of the chief of the bureau a new license may be issued.

Return of terminated or revoked warehouse license.

Sec. 7. Upon satisfactory proof of the loss or destruction of a license issued to a warehouseman, a duplicate thereof, or a new license, may be issued under the same number.

Lost or destroyed warehouse license.

Sec. 8. No warehouse or its warehouseman shall be designated as licensed under the act and no name or description conveying the impression that it or he is so licensed shall be used, either in a receipt or otherwise, unless such warehouseman holds an unsuspended and unrevoked license for the conduct of such warehouse.

Unlicensed warehouseman must not represent themselves as licensed.

Regulation 3. Warehouse Bonds.

Section 1. Unless the warehouseman has previously filed with the Secretary the necessary bond required by section 2 of this regulation, he shall file such bond within a time, if any, specified by the Secretary or his designated representative, such bond to cover all obligations arising thereunder during the period of the license.

Time of filing.

Sec. 2. Paragraph 1. Exclusive of any amount which may be added in accordance with paragraphs 2 and 3 of this section, the amount of such bond shall be at the rate of two (2) cents per pound of cherries in brine of the maximum number of pounds that the warehouse will accommodate when stored in the manner customary to the warehouse for which such bond is required, as determined by the chief of the bureau, but not less than \$5,000 nor more than \$50,000. If such warehouseman has applied for licenses to conduct two or more warehouses in the same State, the assets applicable to all of which shall be subject to the liabilities of each, and shall desire to give a single bond meeting the requirements of the act and these regulations for said warehouses, such warehouses shall be deemed to be one warehouse for the purposes of the bond required under this regulation.

Amount based on storage capacity.

Par. 2. In case of a deficiency in net assets under regulation 2, section 3, there shall be added to the amount of the bond fixed in accordance with paragraph 1 of this section an amount equal to such deficiency.

Additional amount for deficiency in net assets.

Par. 3. If the Secretary, or his designated representative, finds the existence of conditions warranting such action, there shall be added to the amount fixed in accordance with paragraphs 1 and 2 of this section a further amount, fixed by him, to meet such conditions.

Additional amount for special conditions.

Sec. 3. If application is made under regulation 2, section 1, for an amendment to a license and no bond previously filed by the warehouseman under this regulation covers obligations arising during the period of such amendment, the warehouseman shall, when notice has been given by the Secretary, or his designated representative, that his application for such amendment will be granted upon compliance by such warehouseman with the act, file with the Secretary, within a time, if any, fixed in such notice, a bond complying with the act, unless bond in sufficient amount has been filed since the filing of such application. In the discretion of the Secretary, or his designated representative, a properly executed instrument in form approved by him, amending, extending, or continuing in force and effect the obligations of a valid bond previously filed by the warehouseman and otherwise complying with the act and these regulations, may be filed in lieu of a new bond.

Amendment to license and additional bond.

Sec. 4. Whenever a continuous form of license has been issued, such license shall not be effective beyond one year from its effective date unless the warehouseman shall have filed a new bond in the required amount with, and such bond shall have been approved by the Secretary, or his designated representative, prior to the date on which that license would have expired had it been issued for but one year, subject to the provisions of section 3 of this regulation.

New bond required to continue license beyond one year.

Sec. 5. No bond, amendment, or continuation thereof shall be deemed accepted for the purpose of the act and these regulations until it has been approved by the Secretary, or his designated representative.

Approval of bond.

Regulation 4. Warehouse Receipts.

Section 1. Paragraph 1. Every receipt, whether negotiable or nonnegotiable, issued for cherries in brine stored in a warehouse shall, in addition to complying with the requirements of section 18 of the act, embody within its written or printed terms the following: (a) The name of the licensed warehouseman and the designation, if any, of the warehouse; (b) the license number of the warehouse; (c) a statement whether the warehouseman is incorporated or unincorporated, and if incorporated, under what laws; (d) in the event the relationship existing between the warehouseman and any depositor is not that of strictly disinterested custodianship, a statement setting forth the actual relationship; (e) the lot number given to each lot of cherries in brine, in

Contents of negotiable and nonnegotiable receipts.

accordance with regulation 5, section 9; (f) a statement conspicuously placed, whether or not the cherries in brine are insured, and if insured, to what extent, by the warehouseman against loss by fire or lightning; (g) a blank space designated for the purpose in which the kind of cherries in brine shall be stated; (h) a blank space where the identifying marks may be stated; (i) blank spaces in which to indicate the gross, tare, and net weight; (j) the number of barrels or containers in each lot; (k) the words "Negotiable" or "Nonnegotiable"; and (l) whether the receipt is an "original", "duplicate", or "copy", according to the nature of the receipt, clearly and conspicuously printed or stamped thereon.

Par. 2. Every receipt, whether negotiable or nonnegotiable, Storage period.
issued for cherries in brine stored in a warehouse shall specify a period not exceeding one year for which the cherries in brine are accepted for storage under the act and these regulations.
Upon demand and surrender of the old receipt by the lawful holder thereof at or before the expiration of the period specified, the warehouseman, upon such lawful terms and conditions as may be granted by him to other depositors of cherries in brine in his warehouse, if he then continues to act as a licensed warehouseman, may issue a new receipt for a further specified period not exceeding one year; provided it is actually determined by a licensed inspector that the cherries in brine have not deteriorated and that they are in proper condition for storage for another year.

Par. 3. The grade stated in a receipt issued for cherries in brine shall be stated as determined by a licensed grader who graded the cherries in brine on the basis of samples actually drawn not more than ^{ten} days preceding the issuance of such receipt, and such receipt shall embody within its written or printed terms the following: (a) That the cherries in brine covered by the receipt were inspected and graded by a licensed inspector and grader, and (b) a form of indorsement which may be used by the depositor, or his authorized agent, for showing the ownership of, and liens, mortgages, or other encumbrances on the cherries in brine covered by the receipt.

Additional contents of receipt.

Par. 4. Whenever the grade of cherries in brine is stated in a receipt issued for cherries in brine stored in a warehouse, such grade shall be stated in accordance with regulation 8.

Statement of grade of cherries in brine.

Par. 5. If a warehouseman issues a receipt omitting the statement of grade on request of the depositor as permitted by section 18 of the act, such receipt shall have clearly and conspicuously stamped or written on the face thereof the words "Not graded on request of depositor".

When grade omitted, receipt must be marked.

Par. 6. If a warehouseman issues a receipt under the act omitting any information not required to be stated and for which a blank space is provided in the form of the receipt, a line shall be drawn through such space to show that such omission has been made by the warehouseman.

Blank spaces in receipt to be filled in.

Sec. 2. Either actual copies or skeleton copies of all receipts shall be made, and all copies, except skeleton copies or those issued in lieu of the original, in case of lost or destroyed receipts, shall have clearly and conspicuously printed or stamped thereon the words "Copy--Not negotiable."

Copies of receipts.

Sec. 3. Paragraph 1. In case of a lost or destroyed receipt another receipt upon the same terms, subject to the same conditions, and bearing on its face the number and the date of the receipt in lieu of which it is issued and a plain and conspicuous statement that it is a duplicate issued in lieu of a lost or destroyed receipt, may be issued upon compliance with the conditions set out in paragraph 2 of this section.

Lost or destroyed receipts.

Par. 2. Before issuing such duplicate receipt the warehouseman shall require the depositor or other person applying therefor to make and file with the warehouseman (a) an affidavit showing that he is lawfully entitled to the possession of the original receipt, that he has not negotiated or assigned it, how the original receipt was lost or destroyed, and, if lost, that diligent effort has been made to find the receipt without success and (b) a bond in amount double the value, at the time the bond is given, of the cherries in brine represented by the lost or destroyed receipt. Such bond shall be in the form approved for the purpose by the Secretary or his designated representative, shall be conditioned to indemnify the warehouseman

Affidavit of loss or destruction of receipts.

against any loss sustained by reason of the issuance of such duplicate receipt, and shall have as surety thereon preferably a surety company which is authorized to do business and is subject to service of process in a suit on the bond in the State in which the warehouse is located, or at least two individuals who are residents of such State and each of whom owns real property therein having a value, in excess of all exemptions and encumbrances, equal to the amount of the bond.

Sec. 4. No receipt shall be issued by a licensed warehouseman except it be (1) in the form prescribed by the chief of the bureau; (2) upon distinctive paper specified by him; (3) printed by a printer with whom the United States has a subsisting contract and bond for such printing; and (4) on paper manufactured by and procured from a manufacturer with whom the United States has a subsisting contract and bond for the manufacture of such paper.

Approval of
form and print-
ing of receipts.

Sec. 5. If a warehouseman deliver a part only of a lot of cherries in brine for which he has issued a negotiable receipt under the act, he shall take up and cancel such receipt and issue a new receipt in accordance with these regulations for the undelivered portion of the cherries in brine. The new receipt shall show the date of issuance and also indicate the number and date of the old receipt.

Partial de-
livery of
cherries in
brine.

Sec. 6. Except as permitted by law or by these regulations, a Return of negotiable receipts necessary before delivery of cherries in brine. Written order necessary before cherries covered by non-negotiable receipt can be delivered.

warehouseman shall not deliver cherries in brine for which he has issued a negotiable receipt until the receipt has been returned to him and canceled, and shall not deliver cherries in brine for which he has issued a nonnegotiable receipt until such receipt has been returned to him or he has obtained from the person lawfully entitled to such delivery, or his authorized agent, a written order therefor.

Sec. 7. Each person to whom a nonnegotiable receipt is issued Persons to whom nonnegotiable receipts are issued must furnish warehousemen with names and signatures of parties empowered to make releases.

shall furnish the warehouseman with a statement in writing indicating the person or persons having power to authorize delivery of cherries in brine covered by such receipt, together with the bona fide signature of such person or persons. No licensed warehouseman shall honor an order for the release of cherries in brine covered by a nonnegotiable receipt until he has first ascertained that the person issuing the order has authority to order such release and that the signature of the releasing party is genuine.

Sec. 8. No warehouseman shall, directly or indirectly, by any means whatsoever, compel or attempt to compel, the depositor of any cherries in brine stored in his licensed warehouse to request the issuance of a receipt omitting the statement of grade.

Warehouseman not to attempt to compel grade to be omitted.

Regulation 5. Duties of Licensed Warehouseman.

Section 1. Paragraph 1. No licensed receipt shall be issued for any cherries in brine until at least ten (10) days have elapsed following the placing of the product in barrels, nor until it has been inspected by a licensed inspector and found to be in proper condition for storage. Under no conditions shall any cherries in brine known to be in violation of either State or Federal Food and Drug laws be accepted for storage.

Product must be inspected by licensed inspector.

Par. 2. Each licensed warehouseman shall with the licensed inspector examine as frequently as necessary, all barrels in his licensed stock to see that the product is covered with solution and that the solution is maintained at the proper strength to preserve the product.

Product must be kept covered with solution of proper strength.

Par. 3. During the first ten (10) days following receipt for storage the warehouseman shall turn each barrel at least once daily.

Stocks must be turned daily for first ten days.

Sec. 2. Paragraph 1. Each warehouseman, when so requested in writing by the depositor or the lawful holder of the receipt for cherries in brine, shall, to the extent to which, in the exercise of due diligence, he is able to procure such insurance, keep such cherries in brine while in his custody insured in his own name, or arrange for their insurance otherwise, to the extent so requested, against loss or damage by fire and lightning. When insurance is not carried in the warehouseman's name the receipt shall show that the cherries in brine are not insured by him.

Insurance against fire or lightning.

Such insurance shall be covered by lawful policies issued by one or more insurance companies authorized to do such business, and subject to service of process in suits brought, in the State where the warehouse is located. If the warehouseman is unable to procure such insurance to the extent requested, he shall, orally or by telegraph or by telephone and at his own expense, immediately notify the person making the request. Nothing in this section shall be construed to prevent a warehouseman from adopting a rule that he will insure all products tendered for storage.

Par. 2. Each warehouseman shall keep exposed conspicuously in the place prescribed by regulation 2, section 4, and at such other place as the chief of the bureau, or his representative may from time to time designate, a notice stating briefly the conditions under which cherries in brine will be insured against loss or damage by fire and lightning. Notice regarding insurance to be posted.

Par. 3. Each warehouseman shall take promptly such steps as may be necessary and proper to collect any moneys which may become due under contracts of insurance entered into by him for the purpose of meeting the requirements of these regulations, and shall, as soon as collected, pay promptly to the persons concerned any portion of such moneys which they may be entitled to receive from him. Warehouseman to collect and pay insurance.

Sec. 3. Each warehouseman shall, in accordance with his contracts with insurance and bonding companies for the purpose of meeting the insurance and bonding requirements of these regulations, pay such premiums, permit such reasonable inspections and examinations, and make such reasonable reports as may be provided for in such contracts. Premiums, inspection, and reports.

Sec. 4. Each warehouseman shall at all times exercise such care in regard to the cherries in brine in his custody as a reasonably careful owner would exercise under the same circumstances and conditions. If barrels are stored flat on top of each other, suitable dunnage not lighter than 2 x 4's shall be placed between the barrels so as to prevent the barrels resting upon each other. If barrels are tiered on end, they shall not be carried more than two (2) barrels high.

Care of cherries
in brine in li-
censed warehouses.

Sec. 5. If at any time a warehouseman shall handle cherries in brine other than for storage, or shall handle or store any other commodity, he shall so protect the same and otherwise exercise such care with respect to them as not to endanger the cherries in brine in his custody as a licensed warehouseman or impair his ability to meet his obligations and perform his duties under the act and these regulations. If the warehouseman shall store commodities other than those for which he is licensed, a nonlicensed receipt shall be issued, which shall contain in its terms a provision that said commodities are accepted for storage only until such time as the space which they may occupy may be needed for products for the storage of which the warehouseman is licensed. Under no circumstances shall any commodities for the storage of which the warehouseman is not licensed be stored if the storage of such commodities might adversely affect the commercial value of or impair the insurance on products covered by licensed receipts.

Care of non-
licensed cherries
in brine or other
commodities.

Sec. 6. Each warehouseman shall provide a metal fire proof safe, a fireproof vault, or a fireproof compartment in which he shall keep, when not in actual use, all records, books, and papers pertaining to the warehouse, including his current receipt book, copies of receipts issued, and canceled receipts, except that with the written consent of the chief of the bureau or his representative, upon a showing by such warehouseman that it is not practicable to provide such fireproof safe, vault, or compartment, he may keep such records, books, and papers in some other place of safety approved by the chief of the bureau or his representative. All canceled receipts shall be arranged by the warehouseman in numerical order as soon as possible after their cancellation and shall be preserved in numerical order thereafter.

Records to be kept in safe places.

Sec. 7. A warehouseman shall not make any unreasonable or exorbitant charge for service rendered. Before a license to conduct a warehouse is granted under the act the warehouseman shall file with the bureau a dated copy of his rules and schedule of charges to be made by him if licensed. Before making any change in such rules or schedule of charges, he shall file with the bureau a statement in writing showing the proposed change and the reasons therefor. Each warehouseman shall keep exposed conspicuously in the place prescribed by regulation 2, section 4, and at such other places, accessible to the public, as the chief of the bureau or his representative may from time to time designate, a copy of his current rules and schedule of charges.

Warehouse charges.

Sec. 8. Paragraph 1. Each warehouse shall be kept open Business hours.
for the purpose of receiving cherries in brine for storage
and delivering cherries in brine out of storage every business
day for a period of not less than six hours between the hours
of 8 a.m. and 6 p.m., except as provided in paragraph 2 of this
section. The warehouseman shall keep conspicuously posted on
the door of the public entrance to his office and to his warehouse
a notice showing the hours during which the warehouse will be kept
open, except when such office or warehouse is kept open continuously
from 8 a.m. to 6 p.m.

Par. 2. If the warehouse is not to be kept open as above Closing of
required, the notice shall state the period during which it warehouse.
is to be closed and the name and address of an accessible person
authorized to make delivery upon lawful demand and surrender of
the receipt.

Sec. 9. Each warehouseman shall, upon acceptance for storage Each lot to
of any lot of cherries in brine, so store the same that the be numbered
identity of the lot will be preserved. To each lot of cherries and stack card
in brine he shall assign a lot number and shall affix a stack card affixed.
or identification tag, which shall be at all times visible and shall
identify the lot.

Sec. 10. The warehouseman shall indicate on the stack card or identification tag mentioned in section 9 of this regulation (a) the lot number assigned to the lot of cherries in brine; (b) the number of barrels or containers in the lot; (c) the size of the barrels or containers; (d) the identifying marks on the containers; (e) the number of the receipt issued covering the lot; (f) the date they entered storage; and (g) the kind and grade of cherries in brine when grade is determined.

Information
to be shown
on stack card.

Sec. 11. Each warehouseman shall use for his warehouse a system of accounts, approved for the purpose by the chief of the bureau, or his authorized representative, which shall show for each lot of cherries in brine the name and address of the depositor, the lot number mentioned in section 9 of this regulation, the identifying marks of the lot, the number and size of containers, the grade, when grade is required to be or is ascertained, the dates received for and delivered out of storage, the receipts issued and canceled, a separate record for each depositor, and such accounts shall include a detailed record of all moneys received and disbursed and of all effective insurance policies.

System of
accounts.

Sec. 12. Each warehouseman shall, from time to time, make such reports as the bureau may require, on forms prescribed and furnished for the purpose by the bureau, concerning the condition, contents, operation, and business of the warehouse.

Reports.

Sec. 13. Each warehouseman shall keep on file, as a part of the records of the warehouse, for such period as may be prescribed by the bureau, an exact copy of each report submitted by such warehouseman under this regulation.

Copies of reports to be kept.

Sec. 14. Each warehouseman, when requested by the Bureau, shall forward his canceled receipts for auditing to Washington or to such field offices of the bureau as may be designated from time to time. For the purpose of this section, only such portion as the bureau may designate of each canceled receipt, numbered to correspond with the actual receipt number, need be submitted.

Canceled receipts to be forwarded to bureau for auditing.

Sec. 15. Each warehouseman shall permit any officer or agent of the Department, authorized by the Secretary for the purpose, to enter and inspect or examine at any time any warehouse for the conduct of which such warehouseman holds a license, the office thereof, the books, records, papers, and accounts relating thereto, and the contents thereof, and shall furnish such officer or agent, when he so requests, the assistance necessary to enable him to make such inspection or examination under this section.

Inspections and examinations of warehouses.

Sec. 16. The apparatus used for determining the weight, quantity, or quality stated in a receipt or certificate, or for testing the strength of preserving solutions, shall be subject to examination by any officer or agent of the Department employed for such purpose. If the bureau shall disapprove such apparatus, it shall not thereafter, unless such disapproval be withdrawn, be used for the purposes of the act and these regulations.

Inspection of weighing, testing and measuring apparatus.

Sec. 17. Each warehouseman shall keep the stock stored in his warehouse in an orderly manner, shall provide sufficient aisle space so as to permit easy and ready access to any and all lots of cherries in brine stored therein, and shall so store each lot as to facilitate sampling and inspection for condition. The warehouseman shall at all times keep his warehouse clean.

Care of warehouses.

Sec. 18. The warehouseman shall not store cherries in brine in close proximity to steam or hot-water radiators, or immediately under a metal roof.

Not to be stored near radiators or tin roofs.

Sec. 19. The warehouseman shall take such steps as can be consistently taken to so ventilate his storage that a uniformly cool temperature will be maintained in his warehouse, and he shall maintain such temperatures as are generally considered proper to preserve the quality of the product.

Proper ventilation necessary.

Sec. 20. The warehouseman shall provide heat when necessary to avoid freezing.

Must heat to prevent freezing.

Sec. 21. Paragraph 1. Every warehouseman operating a "field" or "custodian" warehouse shall, during the life of his license, display and maintain appropriate signs on the licensed warehouse, both on the inside and on the exterior walls of the warehouse, and particularly on doors and usual places of entry, in such a manner as will ordinarily be calculated to give the public correct notice of his tenancy of all buildings or parts thereof included in his license.

Signs of tenancy to be posted.

Par. 2. Such signs shall be of such size and design as to readily attract the attention of the public and shall include the following: (a) the name and license number of the licensee; (b) the name of the warehouse; (c) whether the warehouseman is owner or lessee; and (d) the words, "Public Warehouse".

Wording of signs.

Par. 3. Such other wording or lettering may appear in the sign or signs not inconsistent with the purpose of the act and these regulations, subject to the approval of the bureau.

Other wording permitted.

Par. 4. Immediately upon its expiration, suspension, or revocation all reference to the license shall be removed from the warehouse.

Removal of signs at expiration, suspension, or revocation of a license.

Par. 5. No sign indicating control, tenancy, or ownership of a licensed warehouse by any person other than the licensee shall appear on any such warehouse.

Other signs prohibited.

Sec. 22. If the warehouseman considers that any cherries in brine in his warehouse are out of condition, or becoming so, he shall direct the licensed inspector to examine the product in question, and if such inspector finds such product to be out of condition or becoming so, the warehouseman shall give immediate notice of the facts in the manner and to the persons specified in section 23, paragraphs 1, 2, and 3 of this regulation.

Procedure to handle deteriorating cherries in brine.

Sec. 23. Paragraph 1. The notice required by section 22 of this regulation shall state (a) the warehouse in which the cherries in brine are stored; (b) the quantity, kind and grade of the cherries in brine at the time the notice is given; (c) the actual condition of the cherries in brine as nearly as can be ascertained, and the reason, if known, for such condition; and (d) the outstanding receipts covering the cherries in question, giving the number and date of each such receipt and the quantity, the kind, and grade of the cherries as stated in each such receipt.

Contents of notice.

Par. 2. A copy of such notice shall be delivered in person or shall be sent by mail (a) to the persons holding the receipts if known to the warehouseman; (b) to the person who originally deposited the cherries in brine; (c) to any other persons known by the licensed warehouseman to be interested in the cherries in brine; (d) to the chief of the bureau; and (e) public notice

Persons to whom notice shall be sent.

shall also be given by posting a copy of such notice at the place where the warehouseman is required to post his license. If the holders of the receipts and the owners of the cherries in brine are known to the warehouseman and can not in the regular course of the mails be reached within 12 hours, the warehouseman shall, whether or not requested so to do, also immediately notify such persons by telegraph or telephone at their expense.

Par. 3. Any person interested in any cherries in brine or the receipt covering such cherries stored in a licensed warehouse may, in writing, notify the warehouseman of his interest, and such warehouseman shall keep a record of that fact. If such person requests in writing that he be notified regarding the condition of any such cherries in brine and agrees to pay the cost of any telegraph or telephone toll charge, such warehouseman shall notify such person in accordance with such request.

Record of persons interested in receipt for cherries in brine.

Par. 4. If the cherries in brine advertised in accordance with the requirements of this regulation have not been disposed of by the owner thereof within ten days from the dispatch of notice of their being out of condition, the warehouseman may sell the same at public auction at the expense and for the account of the owner. Before such sale the warehouseman shall consult with proper State and Federal officials administering Food and Drug laws to ascertain whether the sale of the cherries in brine might violate either the State or Federal law.

If products not disposed of warehouseman to wire bureau.

Par. 5. Nothing contained in this section shall be construed as relieving the warehouseman from properly caring for any cherries in brine after sending notification of their condition in accordance with this section.

Warehouseman
not relieved
from exercising
usual care at
all times.

Sec. 24. If at any time a warehouseman shall be offered for storage in his warehouse cherries in brine in excess of the licensed capacity as shown on his license, he shall not accept such cherries until he has first secured authority through an amended license, and after such authority has been granted, the warehouseman shall continue to so arrange the cherries in brine as not to obstruct free access thereto and the proper use of sprinklers or other fire-protection equipment provided for such warehouse.

Excess storage.

Sec. 25. Except when it may be necessary to protect the cherries in brine due to an emergency, or as may be permitted by law or these regulations, a warehouseman shall not remove any cherries in brine from the warehouse, or the part thereof designated in the receipt, unless such receipt is first surrendered and canceled. If any cherries in brine are removed from the warehouse prior to the return and cancellation of the receipt, the warehouseman shall immediately notify the chief of the bureau of such removal and the necessity therefor.

Removal of
cherries in brine
from storage.

Sec. 26. If at any time a fire shall occur at or within any licensed warehouse, it shall be the duty of the warehouseman to report immediately by telegraph to the chief of the bureau the occurrence of such fire and the extent of damage.

Fire loss to be reported by telegraph.

Sec. 27. When an inspection or grade certificate has been issued by a licensed inspector or grader a copy of such certificate shall be filed with the warehouseman in whose warehouse the cherries in brine covered by such certificate are stored, and such certificate shall become a part of the records of the warehouseman.

Copies of inspection certificates to be filed.

Sec. 28. Each warehouseman shall file with the Department the name and genuine signature of each person authorized to sign warehouse receipts for the licensed warehouseman, and shall promptly notify the Department of any changes as to persons authorized to sign, and shall file signatures of such persons.

Signatures of persons to sign receipts to be filed with the Department.

Regulation 6. Fees.

Section 1. There shall be charged, assessed, and collected a fee of \$10 for each warehouseman's license or any amendment thereto, and a fee of \$3 for each license issued to each inspector, grader, or weigher.

License Fees.

Sec. 2. There shall be charged, assessed, and collected for each original examination or inspection of a warehouse under the act, when such examination or inspection is made upon application by a warehouseman, a fee at the rate of \$1 for each 20,000 pounds of the storage capacity, or fraction thereof, determined in accordance with regulation 3, section 2, paragraph 1, but in no case less than \$10 nor more than \$200, and for each reexamination or reinspection applied for by such warehouseman a fee based on the extent of the reexamination or reinspection, proportioned to but not greater than that prescribed for the original examination or inspection.

Warehouse inspection fees.

Sec. 3. Before any warehouseman's license, or amendment thereto, or any inspector's, weigher's, or grader's license is granted, or before an original examination or reexamination applied for by a warehouseman is made, the warehouseman and/or the inspector, weigher, or grader, shall deposit with the bureau the amount of the fee prescribed therefor. Such deposit shall be made in the form of a check, certified if required by the bureau, or post office or express money order, payable to the order of "Disbursing Clerk, U. S. Department of Agriculture".

Advance deposit.

Sec. 4. The disbursing clerk of the Department shall hold in his custody each advance deposit made under this regulation until the fee, if any, is assessed and he is furnished by the bureau with a statement showing the amount thereof and against whom assessed. Any part of such advance deposit which is not required for the payment of any fee assessed shall be returned to the party depositing the same.

Return of excess deposit.

Regulation 7. Licensed Inspectors, Graders, and Weighers.

Section 1. Paragraph 1. Applications for licenses to inspect, to grade or to weigh cherries in brine under the act shall be made to the chief of the bureau on forms furnished for the purpose by him.

Licensed inspectors, graders and weighers.

Par. 2. Each such application shall be in English, shall be signed by the applicant, shall be verified by him under oath or affirmation administered by a duly authorized officer, and shall contain (a) the name and location of a warehouse or warehouses licensed, or for which application for license has been made, under the act, in which the cherries in brine sought to be inspected, graded, and weighed under such license are or may be stored, (b) a statement from the warehouseman conducting such warehouse showing whether the applicant is competent and is acceptable to such warehouseman for the purpose, (c) satisfactory evidence that he has had at least one year's experience in the kind of service for which a license is sought or the equivalent

Application forms.

of such experience, and that he is competent to perform such services, except in the case of applicants for weigher's licenses one month's experience will be sufficient, (d) a statement by the applicant that he agrees to comply with and abide by the terms of the act and these regulations so far as the same may relate to him, and (e) such other information as the bureau may deem necessary, provided, that when an application for a license to inspect and/or grade cherries in brine is filed by a person who does not intend to inspect or grade for any particular licensed warehouseman but who does intend to inspect cherries in brine stored or to be stored in a licensed warehouse and to issue inspectors' or graders' certificates therefor, as provided for by the act and these regulations, independent of the warehouse receipts issued to cover such cherries, it shall not be necessary to furnish such statement as is required by subdivision (b) of this paragraph.

Par. 3. The applicant shall at any time furnish such additional information as the Secretary or his designated representative, shall find to be necessary to the consideration of his application. Applicant must furnish additional information if required.

Par. 4. A single application may be made by any person for a license to inspect, to grade, and to weigh upon complying with all the requirements of this section. Combined inspector's, grader's, and weigher's application.

Sec. 2. Each applicant for a license as an inspector, grader or weigher and each licensed inspector, licensed grader, or licensed weigher shall, whenever requested by an authorized agent of the department designated by the chief of the bureau for the purpose, submit to an examination or test to show his ability properly to perform the duties for which he is applying for license or for which he has been licensed. Examination.

Sec. 3. Each licensed inspector or licensed grader shall keep his license conspicuously posted in the office where all or most of the inspecting is done, and each licensed weigher shall keep his license conspicuously posted in the warehouse office or in such place as may be designated for the purpose by the bureau. Posting of license.

Sec. 4. Each inspector, grader, and weigher, when requested, shall without discrimination, as soon as practicable, and upon reasonable terms, inspect, grade, or weigh and certificate the condition, grade or weight for storage of the cherries in brine stored or to be stored in a licensed warehouse, if such cherries in brine be offered to him under such conditions as permit proper inspection and the determination of the condition, grade, or weight thereof, as the case may be. Each such licensee shall give preference to persons who request his services as such over persons who request his services in any other capacity. No inspection, grade, or weight certificate shall be issued under the act for cherries in brine not stored or not to be stored in a licensed warehouse. Duties of inspector, grader, and weigher.

Sec. 5. Each inspection certificate issued under the act by a licensed inspector shall be in a form approved for the purpose by the bureau and shall embody within its written or printed terms (a) the caption, "United States Warehouse Act, Cherries in Brine Inspection Certificate", (b) whether it is an original, a duplicate, or other copy, (c) the name and location of the warehouse in which the cherries in brine are or are to be stored, (d) the date of the certificate, (e) the location of the cherries in brine at the time of inspection, (f) the identification number or mark of each lot of cherries in brine the identity of which is or is to be preserved, given in accordance with regulation 5, section 9, (g) the condition of the cherries in brine for storage at the time of inspection, (h) that the certificate is issued by a licensed inspector, under the United States warehouse act and regulations thereunder, (i) a blank space designated for the purpose in which may be stated any general remarks on the condition of the cherries in brine, (j) the signature of such licensed inspector. In addition, the inspection certificate may include any other matter not inconsistent with the act or these regulations, provided the approval of the bureau is first secured.

Inspection
certificate.

Grade certificate.

Sec. 6. Each grade certificate issued under the act by a licensed grader shall be in a form approved for the purpose by the bureau, and shall embody within its written or printed terms (a) the caption "United States Warehouse Act, Cherries in Brine Grade Certificate", (b) whether it is an original, a duplicate, or other copy, (c) the name and location of the warehouse in which the cherries in brine are or are to be stored, (d) the date of the certificate, (e) the location of the cherries in brine at the time of grading, (f) the identification number or mark of each lot of cherries in brine, the identity of which is or is to be preserved, given in accordance with regulation 5, section 9, (g) the grade of the cherries in brine, (h) that the certificate is issued by a licensed grader, under the United States warehouse act and the regulations thereunder, and (i) the signature of such licensed grader. In addition, the grade certificate may include any other matter not inconsistent with the act or these regulations, provided the approval of the bureau is first secured.

Sec. 7. Each weight certificate issued under the act by a licensed weigher shall be in a form approved for the purpose by the bureau, and shall embody within its written or printed terms (a) the caption "United States Warehouse Act, Cherries in Brine Weight Certificate", (b) whether it is an original, a duplicate, or other copy, (c) the name and location of the warehouse in which the cherries in brine are or are to be stored, (d) the date of the certificate, (e) the location of the cherries in brine at the time of weighing, (f) the identification number or mark of each lot of cherries in brine, the identity of which is or is to be preserved, given in accordance with regulation 5, section 9, (g) the gross, tare and net weight of the product, (h) that the certificate is issued by a licensed weigher, under the United States warehouse act and the regulations thereunder, and (i) the signature of such licensed weigher. In addition, the weight certificate may include any other matter not inconsistent with the act or these regulations, provided the approval of the bureau is first secured.

Sec. 8. The weight, grade, and condition of any cherries in brine ascertained by a licensed inspector, grader, or weigher, may be stated on a certificate meeting the combined requirements of sections 5, 6, and 7 of this regulation, if the form of such certificate shall have been approved for the purpose by the bureau.

Weight cer-
tificate.

Combined
inspection,
grade and
weight cer-
tificates.

Sec. 9. Each licensed inspector, grader, and weigher shall keep for a period of one year in a place accessible to persons financially interested in the cherries in brine a copy of each certificate issued by him under these regulations and shall file a copy of each such certificate with the warehouse in which the cherries in brine covered by the certificate are stored. Copies of certificates to be kept.

Sec. 10. Each licensed inspector, grader, and weigher shall permit any officer or agent of the Department, authorized by the Secretary or his designated representative for the purpose, to inspect or examine at any time, his books, papers, records, and accounts relating to the performance of his duties under the act and these regulations and shall, with the consent of the warehouseman concerned, assist any such officer or agent in the inspection or examination of records mentioned in regulation 5, section 11, as far as any such inspection or examination relates to the performance of the duties of such licensed inspector, grader, or weigher under the act and these regulations. Licensees to permit and assist in examination.

Sec. 11. Each licensed inspector, grader, and weigher shall, from time to time, when requested by the bureau, make reports on forms furnished for the purpose by the bureau, bearing upon his activities as such inspector, grader, or weigher. Reports.

Sec. 12. Pending investigation, the Secretary, or his designated representative, may, whenever he deems necessary, suspend the license of an inspector, grader, or weigher temporarily without hearing. Upon a written request and a satisfactory statement of reasons therefor, submitted by the inspector, grader, or weigher, or when the inspector, grader, or weigher has ceased to perform such services at the warehouse, the Secretary, or his designated representative, may, without hearing, suspend or revoke the license issued to such inspector, grader, or weigher. The Secretary, or his designated representative, may, after hearing, when possible, has been afforded in the manner prescribed in this section, suspend or revoke a license issued to an inspector, grader, or weigher when such inspector, grader or weigher has in any manner become incompetent or incapacitated to perform his duties. As soon as it shall come to the attention of a warehouseman that any of the conditions mentioned in this section exist, it shall be his duty to notify in writing the bureau. Before the license of any inspector, grader, or weigher, is suspended or revoked pursuant to section 12 of the act, such licensee shall be furnished by the Secretary, or his designated representative, a written statement specifying the charges and shall be allowed a reasonable time within which he may answer the same in writing and apply for a hearing, an opportunity for which shall be afforded in accordance with regulation 10, section 4.

Suspensions or revocations of inspector's, grader's or weigher's licenses.

Sec. 13. Paragraph 1. If a license issued to an inspector, grader, or weigher is suspended or revoked, by the Secretary, or by his designated representative, it shall be returned to the Secretary. At the expiration of any period of suspension of a license unless in the meantime it be revoked, the dates of the beginning and termination of the suspension shall be indorsed thereon, and it shall be returned to the inspector, grader, or weigher to whom it was originally issued, and it shall be posted as prescribed in section 3 of this regulation.

Return of suspended or revoked inspector's, grader's or weigher's licenses.

Par. 2. Any license issued to an inspector, grader, or weigher shall automatically terminate as to any warehouse whenever the license of such warehouse shall be suspended or revoked. Thereupon the license of such inspector, grader, or weigher shall be returned to the Secretary. If such license is applicable to warehouses other than those for which the licenses have been suspended or revoked, the Secretary, or his designated representative, shall issue a new license to the inspector, grader, or weigher, omitting the names of the warehouses for which licenses have been so suspended or revoked. Such new licenses shall be posted as prescribed in section 3 of this regulation.

License terminates with warehouse license.

Sec. 14. Upon satisfactory proof of the loss or destruction of a license issued to an inspector, grader, or weigher, a duplicate thereof or a new license may be issued under the same or a new number.

Lost or destroyed inspector's, grader's or weigher's licenses.

Sec. 15. No person shall in any way represent himself to be an inspector, grader, or weigher licensed under the act unless he holds an unsuspended and unrevoked license issued under the act. Unlicensed inspectors, graders, and weighers must not represent themselves as licensed.

Regulation 8. Cherries in Brine Inspection, Grading, and Classification.

Section 1. Whenever the kind, grade, or other class or condition of cherries in brine is required to be or is stated for the purpose of the act and these regulations, it shall be stated in accordance with this regulation. Kind, grade, and condition to be stated in accordance with regulations.

Sec. 2. Until such time as official marketing grades of the United States have been promulgated and are in effect, for the purpose of administering this act and these regulations, the kind and grade of cherries in brine shall be stated as far as applicable (a) in accordance with any tentative standards of the Department; (b) in the absence of Federal standards in accordance with the state standards, if any, established in the state in which the warehouse is located; subject to the disapproval of the chief of bureau; (c) in the absence of any state standards, in accordance with the standards, if any, adopted by any cherries in brine organization or by the cherries in brine trade generally in the locality in which the warehouse is located, subject to the disapproval of the chief of the bureau; or (d) in the absence of aforesaid standards in accordance with any standards approved by the chief of the bureau. Standards to be used.

Sec. 3. Whenever the kind, grade or other class or condition Statement of
of cherries in brine is stated for the purposes of this act and kind, grade, and
condition.
these regulations, the terms shall be correctly applied and shall
be so selected as not to convey a false impression. In case of
doubt as to the kind, grade, or condition of a given lot of cherries
in brine, a determination shall be made of such facts by drawing
samples fairly representative of the contents of the lot of cherries
in brine offered for storage.

Regulation 9. Appeal of Grades.

Section 1. Paragraph 1. If a question arises as to whether Method of
the kind, grade, or condition of the cherries in brine was cor- appeal in case
rectly stated in a receipt or grade certificate issued under the of dispute.
act or these regulations, the warehouseman concerned or any person
financially interested in the cherries in brine involved may, after
reasonable notice to the other party, submit the question to the
chief of the bureau who may appoint a committee to make a determination.
The decision of the committee shall be final, unless the chief shall
direct a review of the question. Immediately upon making its decision,
the committee shall issue a certificate embodying its findings to the
appellants and to the licensee or licensees involved.

Par. 2. If the decision of the committee be that the kind, grade, or condition was not correctly stated, the receipt or certificate involved shall be returned to and be canceled by the licensee who issued it, and the licensee shall issue in lieu thereof a new receipt or certificate embodying therein the statement of kind, grade, or condition in accordance with the findings of the committee.

New receipts
or certificates
to be issued.

Par. 3. All necessary and reasonable expenses of such determination shall be borne by the losing party, unless the chief of the bureau or his representative, shall decide that the expenses should be prorated between the parties.

Assessment of
expenses.

Regulation 10. Miscellaneous.

Section 1. Every person applying for a license or licensed under section 9 of the act, shall, as such, be subject to all portions of these regulations except regulation 2, section 3, so far as they may relate to warehousemen. If there is a law of any state providing for a system of warehouses owned, operated, or leased by such state, a person applying for a license under section 9 of the act, to accept the custody of cherries in brine and to store the same in any of said warehouses may, in lieu of a bond or bonds, complying with regulation 3, sections 1 and 2, file with the Secretary a single bond meeting the requirements of the act and these regulations,

Regulations
applicable to
state ware-
houses.

in such form and in such amount not less than \$5,000, as he shall prescribe, to insure the performance by such person with respect to the acceptance of the custody of cherries in brine and their storage in the warehouses in such system for which licenses are or may be issued, of his obligations arising during the periods of such licenses or amendments thereto. In fixing the amount of such bond consideration shall be given, among other appropriate factors, to the character of the warehouses involved, their actual or contemplated capacity, the bonding requirements of the state, and its liability with respect to such warehouses. If the Secretary, or his designated representative, shall find the existence of conditions warranting such action, there shall be added to the amount of the bond so fixed a further amount, fixed by him, to meet such conditions.

Sec. 2. Publications under the act and these regulations Publications.
shall be made in such media as the chief of the bureau may from time to time designate.

Sec. 3. Every person licensed under the act shall im- Violations of
mediately furnish the bureau any information which comes to act and regula-
the knowledge of such persons tending to show that any pro- tions to be re-
vision of the act or these regulations has been violated. ported.

Sec. 4. For the purpose of a hearing under the act and Procedure in
these regulations, except regulation 9, the licensee involved hearings.
shall be allowed a reasonable time, fixed by the Secretary, or
his designated representative, within which affidavits and other
proper evidence may be submitted. If requested by the licensee

within such time, an oral hearing, of which reasonable notice shall be given, shall be held before, and at a time and place fixed by the Secretary, or his designated representative.

The testimony of the witnesses at such oral hearing shall be upon oath or affirmation administered by the official before whom the hearing is held, when required by him. Such oral hearing may be adjourned by him from time to time. After reasonable notice to all parties concerned, the deposition of any witness may be taken at a time and place and before a person designated for the purpose by the Secretary, or his designated representative. Every written entry in the records of the Department made by an officer or employee thereof in the course of his official duty, which is relevant to the issue involved in a hearing, shall be admissible as prima facie evidence of the facts stated therein without the production of such officer or employee. Copies of all papers and all the evidence submitted or considered in such hearing shall be made a part of the records of the Department. The records and, when there has been an oral hearing other than by the Secretary, the recommendation of the official holding such oral hearing shall be transmitted to the Secretary for his consideration. Each party shall pay all expenses contracted by him in connection with any hearing under this section.

Sec. 5. A license may be issued for the storage of two or more agricultural products in a single warehouse or in one or more compartments in the same warehouse. Where such a license is desired, a single application, inspection, bond, record, report or other paper, document or proceeding relating to such warehouse, shall be sufficient unless otherwise directed by the chief of the bureau.

One document and one license to cover several products.

Sec. 6. Where such license is desired, the amount of the bond, net assets, and inspection and license fees shall be determined by the chief of the bureau in accordance with the regulations applicable to the particular agricultural product which would require the largest bond and the greatest amount of net assets and of fees applicable to the particular compartment or compartments to be licensed.

Amount of assets and bond needed for combination warehouses.

Sec. 7. Any amendment to, or revision of, these regulations, unless otherwise stated therein, shall apply in the same manner to persons holding licenses at the time it becomes effective as it applies to persons thereafter licensed under the act.

Amendments.

